

**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

JERRY WAYNE BAYS,

Plaintiff,

v.

STANISLAUS COUNTY SHERIFF  
DEPARTMENT, *et al.*,

Defendants.

Case No. 1:22-cv-00678-BAM (PC)

**ORDER DENYING MOTION TO PROCEED  
*IN FORMA PAUPERIS* WITHOUT  
PREJUDICE**

(ECF No. 2)

**ORDER REQUIRING PLAINTIFF TO FILE  
COMPLETED APPLICATION TO PROCEED  
*IN FORMA PAUPERIS* OR PAY FILING FEE**

**FORTY-FIVE (45) DAY DEADLINE**

Plaintiff Jerry Wayne Bays (“Plaintiff”) is a county jail inmate proceeding *pro se* in this civil rights action pursuant to 42 U.S.C. § 1983. On June 6, 2022, Plaintiff filed a complaint, together with a motion to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. (ECF Nos. 1, 2.)

Plaintiff’s application to proceed *in forma pauperis* is incomplete. There is no certified copy of Plaintiff’s trust account statement for the past six months attached to the application as the instructions require. Plaintiff must submit a completed form, including a certified copy of his trust account statement, if he wishes for the application to be considered.

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Accordingly, it is HEREBY ORDERED that:

1. Plaintiff's motion to proceed *in forma pauperis*, (ECF No. 2), is DENIED, without prejudice;

2. Within **forty-five (45) days** from the date of service of this order, Plaintiff shall file the attached application to proceed *in forma pauperis*, completed and signed, including a certified copy of his trust account statement for the past six months, or in the alternative, pay the \$402.00 initial filing fee for this action;

3. No extension of time will be granted without a showing of good cause; and

4. **The failure to comply with this order will result in dismissal of this action without prejudice.**

IT IS SO ORDERED.

Dated: **June 7, 2022**

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE